NCSL

Kentucky Legislative Research Commission
Analysis of Staff Management and Structure

DRAFT REPORT

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Conducted by
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Contents

Executive Summary

(*Will appear in the final report.*)

Introduction and Background

On October 2, 2013, the Kentucky Legislative Research Commission (LRC) voted to enter into a contract with the National Conference of State Legislatures (NCSL) to conduct a study of the operations and management of the Commission's nonpartisan staff. This report presents the findings of the NCSL study and describes a range of options and best practices that the LRC may wish to adopt to enhance its effectiveness. As outlined in the study proposal, NCSL's work focused on the following objectives:

- Review relevant managerial and operational aspects of the Legislative Research Commission staff, including staff structure, communication and employee personnel policies and practices.

- Compare the LRC to similar operations in other state legislatures and review best practices.

NCSL has conducted numerous state legislative studies similar in scope and purpose to this project and applies a proven methodology to this work. This methodology includes the following:

- *Structured, in-person interviews.* The NCSL study team conducted in-depth interviews with 115 LRC staff, Kentucky state legislators and partisan legislative staff between November 2013 and April 2014. These discussions provided essential information, insight and ideas about LRC operations, practices and history. The vast majority of these interviews were conducted on-site at legislative offices in Frankfort. Figure 1 shows the breakdown of the interviews by type (nonpartisan, partisan, legislator).

- *Surveys of staff and legislators.* NCSL deployed separate surveys to LRC nonpartisan staff, partisan legislative staff and Kentucky legislators during March 2014. Each survey was customized for the relevant audience. The survey sent to LRC nonpartisan staff was based on NCSL's "Self-Assessment Survey for Legislative Staff Organizations," a comprehensive survey tool designed to help staff agencies identify and pursue opportunities for improvement. The response rate to each survey was excellent. As Table 1 illustrates, about nine out of ten legislative staff returned a completed survey. The legislator response rate also was very good and consistent with legislator survey participation that NCSL has experienced in similar studies in other states. The data collected by the surveys provides additional evidence

that the NCSL study team has focused on the most important issues and challenges facing the LRC. Summaries of the responses to each survey are found in Appendices A, B and C.

Figure 1. Breakdown of interviews by participant type

■ Nonpartisan ■ Partisan ■ Legislators
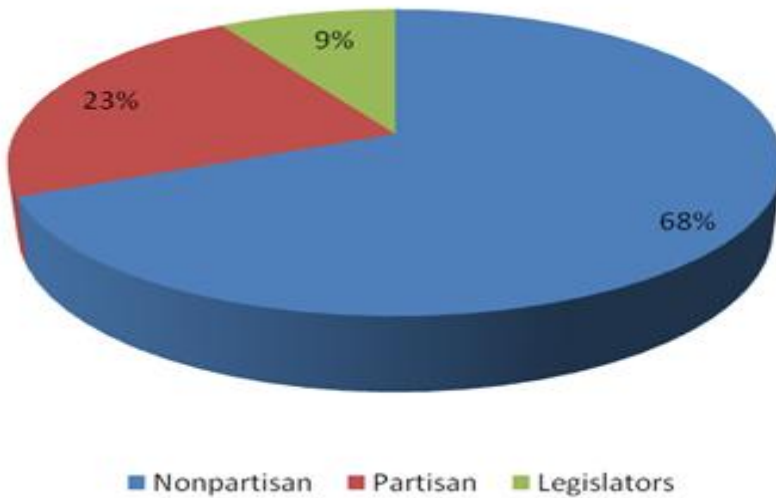
Table 1. NCSL survey response rates			
Survey Group	*Total Surveys*	*Survey Responses*	*Response Rate*
Legislators	138	52	38%
Partisan staff	62	53	85%
LRC staff	325	294	90%

■ *Comparison to other state legislatures.* NCSL selected 10 state legislatures to compare to the Kentucky General Assembly. These comparisons offer valuable insights into the diversity of approaches available to state legislatures in the areas of legislative staff organization and management, personnel practices, legislative procedure and other critical institutional issues and practices. This comparative resource is referenced throughout the report. Table 2 presents a list of the 10 legislatures for which we collected comparative data. We also applied NCSL's library of 50-state legislative information to this project.

Table 2. Legislatures selected for comparison to Kentucky				
State	*House Members*	*Senate Members*	*Total Members*	*Total Permanent Staff*
KENTUCKY	100	38	138	388
Connecticut	151	36	187	431
Indiana	100	50	150	128
Iowa	100	50	150	174
Maryland	141	47	188	383
Maine	151	35	186	167
North Carolina	120	50	170	298
Ohio	99	33	132	473
Oregon	60	30	90	267
Tennessee	99	33	132	288
Virginia	100	40	140	259

Comparison to benchmarks and best practices. Through years of experience as management consultants to state legislatures, NCSL experts have identified essential organizational performance benchmarks and management best practices that define and foster staff excellence. Many of these benchmarks and standards are derived from research and writing from the top thinkers in management. These authors include Peter Drucker, Tom Peters, Jim Collins and Ken Blanchard. We also recognize the important contributions to the field made by the Malcolm Baldrige Award criteria, many of which have been incorporated into the NCSL survey deployed to LRC staff. Taken together, this collection of knowledge and examples establishes benchmarks against which we assess and analyze legislative staff agency practices and performance.

Key Findings

This section of the report describes critical issues and opportunities that are central to the scope of the study and that should be considered priorities for LRC action. For the remainder of this report, the term "LRC staff" refers to the nonpartisan employees of the General Assembly who report to the LRC director.

A Solid Foundation

The LRC staff is a strong and viable organization that delivers essential services to all members of the Kentucky General Assembly. Its employees are talented, dedicated and hard-working professionals who love working at the General Assembly and who, in many cases, want to make a career out of legislative service.

The LRC staff's sense of purpose and public service is complemented by a nonpartisan, centralized organizational structure that makes sense for the General Assembly. Most states similar to Kentucky use this staffing approach because it is efficient and effective. We endorse Kentucky's choice of a centralized, nonpartisan staffing model for the General Assembly. There is concern in some corners of the legislature that the current staff structure might be abandoned in favor of one focused more on separate House and Senate staff operations with a stronger emphasis on partisan staff services. This would be, in our opinion, a costly and disruptive mistake. The central, nonpartisan approach, complemented by a smaller partisan staff structure, is right for Kentucky's part-time, citizen legislature and is the most effective way for the General Assembly to develop and maintain a strong corps of professional staff experts.

> *The staff of LRC, at all levels, from top to bottom, is excellent.*
> —Kentucky State Legislator

This legislator's statement about LRC staff performance is representative of comments expressed by members during interviews and in response to the legislator survey. There is clear and widespread support among the membership for LRC nonpartisan staff services. Table 3 presents a sample of survey results that illustrate the positive opinion that members hold about the LRC staff. Complete survey results are presented in Appendix A.

Table 3. Selected survey data: legislator satisfaction with LRC services			
	Score*		*Score**
Constituent services	3.7	Issue papers	3.4
Statutory committee services	3.7	Secretarial services	3.4
Bill drafting	3.6	Web site	3.3
Responses to IT problems	3.6	Fiscal notes	3.3
Committee meeting services	3.5	Fiscal analysis	3.3
Public information services	3.5	Computer equipment	3.2

*Scale: 1 = not at all satisfied, 4 = very satisfied

The survey results on legislative satisfaction with LRC services are impressive and reflect the talent, hard work, experience and dedication of LRC employees. LRC staff maintain effective professional relationships with legislators and it shows in these numbers. The positive performance results also come during a time of stress within an agency that recently experienced the abrupt departure of its long-time director and a significant amount of scrutiny by the media. The LRC has been fortunate to have a strong foundation based on professionalism, a widely shared work ethic and experienced staff—key factors in its ability to persevere during turbulent times.

> *I believe I work with extremely talented and dedicated people.*
> —LRC staffer

This statement from a nonpartisan LRC employee represents a sentiment held by staff throughout the agency. LRC staff are proud of their work and their professionalism. They believe, with justification, that they work in an organization with a strong reputation for effectiveness and they want to preserve and enhance that reputation. LRC staff has a sense of purpose and mission that motivates them and that keeps them focused on their duties.

The LRC at Risk

NCSL's work in Frankfort reveals several fundamental strengths in current LRC operations as borne out by the opinion of its key clients—the members of the General Assembly. However, our interviews and staff survey results also expose a more troubling side of LRC operations and reveal several critical vulnerabilities that we believe put future LRC success at risk.

LRC nonpartisan staff share many concerns about their organization that were common themes in NCSL's interviews and survey results.

The following quotes from nonpartisan staff express feelings and beliefs held by many LRC staff. Not all LRC employees will agree with these remarks, but we heard comments similar to these from staff throughout the

organization. We believe they represent the opinions of the majority of LRC nonpartisan employees.

> *People don't feel heard.*
>
> *We want fairness and equity.*
>
> *There are no systems here, it's all arbitrary—"it's in the file."*
>
> *The only way to get a raise is to go out and get an offer.*
>
> *Morale is poor. There's no structure [and staff] don't know why things happen.*
>
> *Everyone is holding their breath; we don't know what's next.*
>
> *We haven't had [a staff meeting] for a decade. You end up feeling like a cog.*
>
> *People are angry, offended. We're not broken, we're wounded.*
>
> *There's no rhyme or reason to raises.*
>
> *Members don't have a clue about how mad staff are.*
>
> *Unless you're a favorite, you're not going to get anywhere.*
>
> *You never know a position is open until you hear it's filled.*

The low scores in the survey results presented in Table 4 parallel and support many of the comments presented above and provide further evidence that there are significant problems at the LRC. Our examination of staff concerns indicate that the problems are largely procedural and operational in nature, although some structural reform may contribute to improved LRC productivity.

NCSL has deployed very similar surveys at staff organizations in other legislatures where the results have been much more favorable. The LRC results, which are based on a 90-percent return rate, cannot be ignored. Complete results of the NCSL survey of nonpartisan staff are presented in Appendix B.

We believe that the issues raised by staff at the General Assembly have merit and need to be addressed. As suggested above, failure to do so may jeopardize the future effectiveness of the LRC. Fortunately, the LRC now enjoys a unique window of opportunity for change.

Table 4. Selected responses: NCSL survey of LRC nonpartisan staff

Level of Agreement with Survey Statement	Average Rating*
Managers of the LRC nonpartisan staff routinely provide useful feedback to employees about their performance.	2.2
Managers of the LRC nonpartisan staff are quick to address problems, including employee performance problems.	2.2
Employees are rarely caught by surprise by decisions that affect their work or workplace.	2.4
The LRC nonpartisan staff organization uses a recruiting method designed to attract a broad sample of potential job candidates.	2.0
The LRC nonpartisan staff organization has a plan for developing future leaders.	1.8
The LRC's hiring process and practices are consistent for all job openings.	1.8
Raises and promotions are based on merit.	1.6

Scale: 1 = strongly disagree, 4 = strongly agree

Looking Back to Look Forward

To understand LRC operations, one must understand something about its history. The LRC nonpartisan staff, like many similar legislative staff agencies in other states, found its feet under the direction of a strong, charismatic and talented director. In Kentucky, that was Vic Hellard. Two members of the NCSL study team worked with Mr. Hellard through his participation in NCSL activities. His leadership qualities and skills were obvious, and his gift for connecting to people in a genuine way was impressive. As one knowledgeable observer of the LRC commented to NCSL, "you can't understand the place without understanding Vic."

Mr. Hellard ran the LRC like many of his contemporaries ran their staff agencies—through strength of character (and will), a natural instinct for leadership, a keen eye for talent, a close working relationship with legislators, a deep understanding of the process and an abiding affection for the legislative institution. These directors eschewed excessive structure, rules, guidelines or paperwork. They ran things using the tools listed above and during an era of legislative reform that gave them the resources they needed to realize their vision.

These staff leaders also became more than agency directors. They were counselors to leadership, fixers, protectors, facilitators and political arbitrators. This was the model and benchmark for LRC leadership and practice established by Mr. Hellard. It was a model that favored style over structure, personality over procedure and authority over autonomy. And it

worked. The LRC thrived and developed a reputation for excellence that endures today.

But it also was an unsustainable model, dependent on the qualities of a unique individual operating in unique times. We believe that the internal problems now evident at the LRC are, in large part, rooted in the General Assembly's desire, conscious or not, to maintain a model of LRC leadership and management practice that is ill-suited to cope with the demands of today's workplace and the challenges presented in an age of limited resources, a new generation of employees and a more dynamic political landscape.

Risk Factors

The historic LRC management approach, still largely in place today, cannot respond effectively to the changing needs of the institution and its employees. LRC staff are frustrated and often confused by personnel practices that seem arbitrary or inconsistently applied and that provide few clues about how to advance their professional careers. Through its interviews and survey research, we discovered a workforce committed to getting the job done but also critical of their senior management and concerned about the future health of their organization.

The LRC staff has been slow to embrace or has resisted adopting important management and personnel administration concepts and tools considered by most experts to be essential to productivity and effectiveness. The LRC is lagging behind many state legislative staff agencies that have carefully integrated pay plans, personnel policies, communication strategies and talent development programs into their management strategy.

We believe that the following factors account for most staff concerns at the LRC and that these factors, if left unaddressed, may undermine staff morale and contribute to a decline in LRC staff performance.

Communication

Everyone has heard the old real estate adage that there are three factors that define the value of property: location, location and location. It can similarly be claimed that three factors define organizational effectiveness: communication, communication and communication. Unfortunately, many organizations come up short on this fundamental management practice. The LRC lacks the rich, informative, regular and multidirectional communication that characterizes dynamic workplaces. In fact, over the past several years, the LRC has experienced a decline in internal communication practices.

Poor or nonexistent communication about important internal issues and news has created an information void at the LRC. Predictably, that void

has been filled through informal networking and the inevitable rumor mill. Unfortunately, these informal communication streams are inefficient, irregular, subject to error and usually neglect some portion of the employee population. People lose trust in what they hear or develop a sense of being left out of the loop. Staff often learn things after the fact, or experience changes in their workplace without any notice or input. Violation of the "rule of no surprises" almost always undermines employee morale and trust.

Fortunately, the current LRC interim director recognizes the communication problem and has taken several steps to reverse the trend. The next permanent director will need to continue and expand these efforts.

Here are examples of communication shortcomings in evidence at the LRC:

- *Few formal meetings.* Well-run, routinely held staff meetings offer an organization an effective tool for internal learning and for sharing news, ideas and concerns with peers and management. Unfortunately, the LRC largely abandoned the practice of holding staff meetings until the arrival of the new interim director. For example, we learned that the committee staff administrators—a key group of middle managers at the LRC—had not met for five years until the interim director called them together. The members' secretaries, to our knowledge, have never met together to share ideas, experiences or skills. We could not find evidence that the LRC has held, in recent years, an all-staff meeting of its employees.

  These kinds of formal get-togethers, if well-planned and executed, build employee trust and comradery, expand institutional knowledge and make an organization more efficient. They also help prevent the rumor mill from becoming a primary source of news and speculation and help management gain valuable insight into the concerns of staff.

- *Few informal meetings.* Many staff told us stories about "the old days" when the LRC held all-staff picnics, "pin ceremonies" (to recognize years of service) and other informal employee gatherings. Most of these stories expressed frustration over the loss of a sense of community at the LRC. It is clear that these informal events offered LRC employees important opportunities to identify as a team and to celebrate their important role within Kentucky state government. These gatherings, according to LRC staff,

declined and disappeared in the past decade. The interim director has recently revived some of them.

- ***Limited performance feedback.*** NCSL knows, from years of experience working with legislative staff agencies, that legislative staff want feedback about their work performance. We were not surprised to hear the same refrain at the LRC. Unfortunately, legislative staff groups, including the LRC, have been slow to adopt formal employee performance evaluation systems. Here is a staff comment that illustrates frustration at the absence of such a system at the LRC.

   There are no performance evaluations so we do not know [how] we are doing. Are there aspects that we need to change or are we doing a good job? We are never told these things.

   A regular, formal employee performance evaluation that emphasizes face-to-face interaction between supervisor and employee is one of the most potent and effective communication tools available to a manager and an organization. Unfortunately, this process has largely been cast as a bureaucratic, paperwork-focused exercise and therefore one that is avoided or downplayed in many organizations. Employees at the LRC, like their colleagues across the country, want objective feedback on their performance that is based on clear work goals and objectives. Lacking this feedback, they wonder how they are doing at their job and wonder how management makes judgments about pay, promotion and career development.

- ***Limited access to management.*** There is mixed opinion among LRC staff about their ability to speak to and be heard by upper management. However, there is general agreement among LRC staff that the "front office" (the director and deputy directors) was, until the arrival of the new interim director, a challenging—if not risky—place to seek counsel, pursue information or offer new ideas. This image of the front office as a remote, unresponsive and insular group among many LRC staff persists today. The momentum of the past is strong and until a new experience takes hold, LRC staff will cling to their suspicions about the motives and practices of the front office.

   The LRC would benefit from instituting a wide-ranging dialog among its employees through communication that flows freely from top managers to employees and from employees to the front office. The front office must take the initiative and offer genuine, consistent and reliable examples

of its intention to foster a new culture of engagement and trust within the LRC.

Transparency, Equity and Fairness

As described above, the LRC front office has evolved into an enigma in the minds of many employees who do not understand how or why certain organizational and personnel decisions are made. In the absence of evidence to the contrary, LRC staff say many front office decisions about pay, promotion, work assignments and personnel policies are arbitrary or tainted by favoritism. Our study team found that, in most cases, LRC senior managers do have a rationale for their decisions. Unfortunately, top managers too often have based personnel decisions on subjective factors, sometimes carrying them out in seclusion and without conveying their decision criteria to staff.

Below are the issues around transparency that aggravate nonpartisan staff and that threaten to undermine the performance and professional stature of the LRC.

- *Pay equity.* No single issue came up more often or with as much passion during NCSL's interviews with LRC staff as pay equity and the belief among employees that the compensation system is unfair and arbitrary. Time and again, interviewees described how their requests for raises or promotions ended up in "the file" on the director's desk—a file that they believed was opened only when the director felt compelled to do so. During the recession-induced freeze on across-the-board, regular pay adjustments, an appeal to the director became the primary avenue for getting a raise. LRC staff are frustrated by an opaque, closed-door process that they do not understand.

  There is evidence that the current approach used to determine compensation levels, both for entry-level and incumbent employees, has generated pay inequities at the LRC. These inequalities, along with a compensation decision-making process that is inadequately documented and overly subjective, fosters a climate of confusion and distrust among LRC employees. Staff do not know how to develop their careers in a management environment that offers few clues about how performance connects to promotion, provides little explanation about how pay decisions are made, inconsistently sets minimum qualifications for jobs, and rewards certain individuals with pay increases while other requests for an adjustment languish.

  The following scatter plots display current pay levels compared to LRC tenure for all LRC staff who hold the titles

of committee staff administrator (CSA) or secretary. The secretary graph includes employees with the titles of secretary I and secretary II. We believe these jobs are largely the same in content and therefore comparable. The CSA graph includes both CSA I and CSA II titles.

Figures 2 and 3 illustrate wide pay ranges for employees holding these titles with only marginal relationship to their length of service at the LRC. Although there are other factors that determine differences in pay levels (such as performance and work demands), the data for a single title should show a more compact pattern along the plot line and have fewer outliers at the extremes.

Figure 2. Scatter plot of annual compensation for committee staff administrators

CSA Salary Analysis
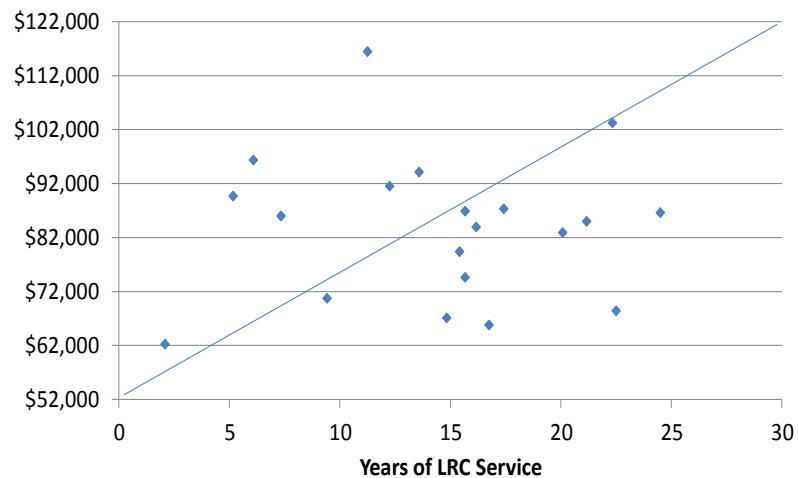
Figure 3 (secretaries) shows large variations of pay compared to LRC experience level. Many long-tenured secretaries are paid less than employees only recently hired to these jobs. According to LRC management, these higher wages for new secretaries were required to persuade highly skilled job candidates to accept the job. Unfortunately, this approach for setting pay sends a message to many long-term LRC secretaries that their skills, tenure and performance are less valuable than the skills, experience and *potential* performance of new hires.

Legislative Secretaries Salary Analysis

The primary factor that can explain the pay extremes within one job title is performance. However, as outlined earlier in this report, there is no mechanism at the LRC, other than informal observation and word of mouth, for assessing employee performance. Performance, therefore, becomes a subjective "eye-of-the-beholder" process in a setting where employees have little idea about the criteria used to judge them.

Additionally, there are no job descriptions, minimum qualifications or pay range criteria (minimum and maximum salary) for the secretary title (or for any title at the LRC, for that matter). Pay for any specific secretary job is based on the circumstances of the moment and criteria known only to a few managers. Secretaries at the low end of the existing pay range have little idea how to improve and move up the pay scale or why their performance and value have been deemed inferior to those paid much more.

We use the example of the LRC secretary position to illustrate a compensation problem that affects staff in many different job roles throughout the agency. Pay equity, and the perceived lack of it among LRC staff, is not just a transparency issue. There is evidence that years of inconsistent compensation decision making conducted

without any structure, plan or objective performance criteria has created an environment where the link between pay and performance is difficult to discern.

- *Job openings.* Many jobs at the agency are filled without public or internal notice that a position is available. This frustrates employees who have no opportunity to apply for jobs filled by managers making decisions behind closed doors. Every organization experiences situations where there is a clear "best candidate" for a job opening and where it seems efficient and practical to forego the standard position recruitment process. This practice is a concern with LRC staff.

  There is good reason to post all job openings, even when the results of the process seems inevitable. When employees are able to compete for a job within a fair and objective hiring process, they benefit even if they lose the competition. They are, at least, more likely to have a sense that they were treated fairly and that the best person got the job. At the LRC, this competition for openings is not always available, leading to claims of favoritism and concerns about upward mobility.

- *Compensatory time awards.* Comp time is a difficult issue for many state legislative staff agencies. In most states, legislative staff work large amounts of overtime during the session and then experience reduced workloads during the interim. Comp time is used to reward and recognize the in-session efforts of hard-working staff, usually with a stipulation that it is used during the interim.

  The LRC director awards comp time to each staff office at the agency. The award each office receives is calculated according to actual hours of overtime reported by staff in that office and the sense of LRC management about the relative in-session workloads of the offices. Every employee who works for a specific office receives the same comp time award amount. Comp time award levels usually are not equal to the actual overtime hours worked by an employee but represent instead an assessment by the director of the relative overtime contribution of the employee's office.

  Many staff believe that the comp time award process is biased by favoritism and subjective judgments about the value of each office's contribution to the process. Some staff feel shortchanged by a process that averages out their overtime workload, causing them to receive less time off than the overtime hours they actually worked and other staff

to receive a comp time award exceeding their actual contribution.

Career Path

Legislative staff, especially those of the "millennial generation" (born between 1980 and 1995), look for and respond to job opportunity and a chance to advance their career. The LRC offers few career path incentives or guideposts. Many employees feel stuck in their current title and role, or find it difficult to discern what combination of performance, tenure and initiative will help them advance. Most LRC job titles do not differentiate between entry-level and more experienced stages of a given job. For example, legislative agencies in other states often use titles such as Analyst I, Analyst II and Senior Analyst to create a career path for these employees. Each level requires increasing skill, experience and contribution and may include supervisory responsibilities at the top level. Pay levels increase as the employee is promoted along the path. Job descriptions for each title provide clear benchmarks that staff pursue to move to the next level.

The LRC's decision to forego most aspects of a formal personnel system makes it difficult to address the career path problem. The creation of career paths for professional employees requires a personnel plan that includes a systematic pay structure, clear and discrete job descriptions and promotion based on merit and performance measurement.

Red Zone Culture

In their book "Radical Collaboration," authors James Tamm and Ronald Luyet describe dangerous "red zone" and healthy "green zone" organizational cultures. According to Tamm and Luyet, "the long-term consequences of a red zone culture can be devastating to an organization, a team, or a business." They further assert that "groups with a critical mass of individuals in the red zone" will experience lower workplace collaboration and productivity.

Red zone cultures are characterized by the beliefs, behaviors and attitudes in Table 5.

Table 5. Characteristics of red zone culture	
Low trust	Withholding
High blame	Denial
Alienation	Risk avoidance
Undertones of threats and fear	Attitude of entitlement
Anxiety	Cynicism
Guardedness	Suspicion
Hostility	Sarcasm

Tamm and Luyet's analysis of red zone culture includes a description of what they call "red zone reactive self-talk." According to the authors, "self-talk refers to the almost constant inner voice we have in our heads that makes a running commentary about everything in our life. When self-talk takes the form of inner hostile critiquing of our self or others, it can be a strong indication of being stuck in the red zone." They provide the following examples of the tone and content of red zone self-talk. We were struck by the parallel between these examples and the tone and content of many interviews with LRC staff.

Table 6. Examples of red zone reactive self-talk	
This shouldn't happen.	This is unfair.
I can't handle this.	They don't care.
This is too much.	They have no right.
I should not have to deal with this.	That's stupid.

We believe that the LRC staff is approaching or already has developed a critical mass of employees with red zone attitudes and behaviors. Without thoughtful intervention, these attitudes and behaviors may undermine and ultimately degrade LRC performance. Our interviews with LRC employees, combined with results of the NCSL survey of nonpartisan staff, offer substantial evidence in support of this conclusion.

Toward the Green Zone

Put simply, the fundamental job for the LRC staff and the Commission is to address the root causes behind the red zone behaviors and beliefs that flourish at the LRC and turn them toward a different future. This can be done, but it will require strong leadership among the members and staff and perseverance by all parties in the implementation of organizational change. In the parlance of Tamm and Luyet, the LRC must develop and implement strategies that move the agency toward a green zone culture. Table 7 lists some of the characteristics of a green zone organizational culture.

Today's LRC is characterized by high service performance but low internal management and communication performance. We believe that maintaining the status quo in LRC management and personnel practice will ultimately threaten agency effectiveness and drive it deeper into the red zone. LRC staff, in cooperation with the Commission, have a unique opportunity to take the agency in another direction. Through the implementation of several widely used best practices around communication and personnel administration, the LRC can begin to move toward the green zone and toward an era of even more effective performance and service to the General Assembly.

Table 7. Characteristics of a green zone organizational culture	
High trust	Friendly competition
Dialogue	Flexibility
Excitement	Risk taking
Honesty	Facing difficult truths
Mutual support	Openness to feedback
Sincerity	Sense of contribution
Optimism	Shared vision
Cooperation	Ethical behavior

A Menu for Change

The options for change presented below offer practical ideas that, if implemented with skill, genuine effort and strong Commission support, will contribute to a better workplace environment and support sustainable, high-level performance at the LRC. They are ideas drawn from the studies and writings of leading authorities in management and based on examples that work well in other legislatures.

Management and personnel reform is especially important as the LRC staff confronts the needs of a workforce recruited from a new generation of professionals. A 2013 study conducted by the consulting firm PricewaterhouseCoopers (PwC), the University of Southern California and the London Business School reported the following findings about millennial generation employees:

> *Millennials place a high priority on workplace culture and desire a work environment that emphasizes teamwork and a sense of community. They also value transparency (especially as it relates to decisions about their careers, compensation and rewards). They want to provide input on their work assignments and want and need the support of their supervisors.*

Numerous studies point toward the important link between organizational culture and performance. The PwC findings suggest that change at the LRC is a strategic imperative if it hopes to attract and retain the talent necessary for long-term effectiveness. It also is a reminder that the path to the green zone is as much about changing attitudes as it is about changing practices.

Communication

Effective communication is the key to organizational success. Here are some ideas that make sense for legislative staff agencies.

Share Everything

Information is power. Unfortunately, this truism too often is interpreted to mean that sharing information is equal to giving away power. Great organizations know better than this, and they develop cultures where information flows freely in all directions. This empowers the organization and, in turn, the individual employees. Open information sharing is a green zone practice that starts at the top of the organization.

The "share everything" philosophy means that all information and news about the workplace is pushed up, down and across institutional barriers through meetings, emails, intranets, celebrations, social media and any other appropriate means. When organizations share everything, they

observe the "rule of no surprises," a management principle that sets a minimum threshold for communication: never allow employees to be surprised to learn about decisions that affect their work or workplace.

Hold Meetings That Count

No communication strategy makes more impact or delivers more information than an in-person meeting. Unfortunately, many legislative organizations miss this opportunity because managers and staff are too busy or because their prior experience tells them that meetings are a waste of time.

Here are a some guidelines for holding effective meetings:

- Know your purpose
- Start on time
- Have a designated facilitator or chair
- Use the best available meeting space
- Provide adequate copies of resource materials
- Don't waste time on "off-agenda" subjects
- Involve each participant—be sensitive to personality types
- Create a follow-up plan (action items, assignments, deadlines)
- End on time

People who work together need to talk with and learn from each other, plan together, share experiences and have common understanding of important, work-related information. Meetings, when conducted for a purpose and according to a few basic guidelines, deliver big benefits to an organization and its employees.

Collect and Use Management Information

Management information is feedback about products and processes that help an organization become more effective and efficient. Manufacturers use management information systems to streamline production, cut costs and improve quality. Most established process-improvement tools and philosophies are based on feedback received from management information systems. Examples include the Toyota Production System (and LEAN manufacturing), Six Sigma and Total Quality Management.

State legislative staff agencies are not manufacturers but they do create products for customers using standardized procedures and tools. Staff agencies in Wyoming, New Mexico and other states have been proactive in seeking customer (legislator) feedback about their services and the quality of their products. Typically, these efforts involve client satisfaction

surveys combined with structured, in-person interviews. The Washington House staff recently initiated a comprehensive review of their operations that will include legislator and employee surveys. Ohio staff recently embarked on a project to interview all legislators about the quality and effectiveness of staff services.

Legislatures have been slow to adapt the efficiency tools used by the private sector to make process improvements, but these opportunities are available. Bill drafting procedures and other legislative paper processes offer good prospects for examination and efficiency studies.

Management information systems do not stand on their own but rather are one component of strategies designed to improve processes and outputs. Examples of management information in a legislative setting include bill drafting workloads, legislator feedback and constituent service request data. Studying these data streams allows organizations to fine tune their services, cut out waste and focus resources on client needs.

Post Job Openings

Eight of the ten legislatures surveyed by NCSL for comparison to LRC operations indicate that they post most or all of their job openings either publicly or internally. This practice makes sense. It promotes transparency in personnel administration and sends a signal that all employees have opportunity with the organization. As stated previously, staff who lose the competition for a posted job will be more likely to find the process fair compared to employees who never get the chance to apply because the recruiting process was closed.

Rethink the "Front Office"

Senior management at the LRC has an image problem that can be solved in large part by opening up communication and developing more transparent and objective personnel procedures. But it will take more than that to rebuild the trust that was lost over the course of the last few years. The front office needs to get out of the front office.

One of the most potent management communication techniques espoused during the past 30 years is Tom Peter's Management by Wandering Around (MBWA). Peters discovered this tool and philosophy in the late 1970s at Hewlett Packard, then a small start-up technology company. He promoted the concept in his groundbreaking management book, *In Search of Excellence*. LRC senior managers can adopt this simple and effective technique and remember that an open door policy is not just about inviting people in but also about stepping out of the office to be with employees at their work.

Sometimes communication is not conducted with words, but with symbols. The LRC top managers would send a strong message of change

Compensation Systems

All ten state legislatures in NCSL's comparison survey have formal compensation and classification systems and job descriptions for their nonpartisan staff. State legislatures across the country are moving in this direction. NCSL's organizational consultants have worked actively in recent years to help legislatures develop and maintain these tools.

Compensation and Classification

"Comp and class" systems formalize the relationship of an organization's jobs into a pay framework based on an objective assessment of the value of those jobs. The determination of relative job value usually involves two steps. First, each position is subjected to a "job content analysis" that results in a detailed description of the essential and secondary responsibilities of that job and the skills required to do it successfully. Job content information is learned through a combination of survey results and interviews. Based on the content analysis, each job undergoes "point factoring" that assigns an objective score to the position. The scores assigned to the various titles within an organization determine the hierarchy of these jobs. This hierarchy is called a job classification system.

Table 8 presents a sample job classification plan for a small legislative agency. Each grade contains jobs that received similar scores in a point factor analysis process. Point factoring allows jobs of different types and content to be grouped together. For example, all the jobs in Grade L in Table 8 have similar organizational value and therefore are compensated similarly. The titles in Table 8 are generic and not intended to represent actual jobs at the LRC.

Compensation levels, usually determined through an analysis of the local or competing job market, are assigned to each grade in the classification plan. Table 9 presents a sample compensation plan based on the classification system in Table 8. Together, they constitute a compensation and classification system. Compensation ranges presented in Table 8 are for illustration only and do not represent actual market pay rates.

Comp and class systems help organizations establish internal pay equity and set compensation levels that are competitive with the job market. These outcomes—equity and competitiveness—give employees confidence that their pay is fair and help organizations retain critical talent because they are less likely to be lured away by outside offers. It also is important to note that the comp and class systems used by legislative staff agencies are developed to respond to the special needs, challenges and goals of the unique, at-will legislative work environment. They often incorporate or reflect features of a state's executive branch pay plan, but

also carefully avoid the cumbersome, rules-based, bureaucratic procedures that characterize most state civil service systems.

Table 8. Sample job classification plan	
Grade	*Title*
O	Director
N	Assistant Director of Legal Services Assistant Director of Administration Budget and Fiscal Section Manager
M	Legislative Research Manager Program Evaluation Manager School Finance Manager
L	Information Technology Manager Legislative Information Officer Principal Legislative Analyst Senior Staff Attorney
K	Legal Research Associate School Finance Analyst Senior Fiscal Analyst Senior Program Evaluator Senior Research Analyst Staff Attorney
J	Computer Programmer Fiscal Analyst Program Evaluator Research Analyst
I	Associate Fiscal Analyst Associate Program Evaluator Associate Research Analyst Information Technology Specialist II
H	Fiscal Officer Information Technology Specialist I
G	Associate Legislative Info Officer
F	Bill Processing Supervisor Executive Assistant
E	Administrative Specialist II
D	Administrative Specialist I

Four of the ten legislatures in the NCSL survey include both partisan and nonpartisan legislative jobs in their compensation and classification systems. This practice promotes pay equity throughout the institution and discourages poaching of nonpartisan talent by partisan staff groups or the executive branch.

Table 9. Sample compensation plan			
Level	*Minimum Salary*	*Market-Based Midpoint*	*Maximum Salary*
O	$95,655	$121,854	$148,662
N	$82,462	$105,047	$128,157
M	$71,088	$90,557	$110,480
L	$61,282	$78,067	$95,241
K	$52,830	$67,299	$82,105
J	$45,543	$58,016	$70,780
I	$39,915	$50,847	$62,033
H	$34,982	$44,563	$54,367
G	$30,659	$39,056	$47,649
F	$26,871	$34,230	$41,761
E	$23,550	$30,000	$36,600
D	$20,640	$26,293	$32,077

Job Descriptions

Job descriptions are essential to a compensation and classification system because they provide important benchmarks for hiring, performance and promotion. All ten legislatures surveyed by NCSL for the purposes of this study maintain job descriptions for their employees. The LRC developed job descriptions many years ago, but none are in effect today. A basic job description includes a general statement about the purpose of the position, a list of key responsibilities and a set of minimal qualifications necessary to hold the title.

Tennessee adds an interesting element to its job descriptions—an "experience rating guide" that establishes objective value for the prior years of experience of new employees. For example, new hires for the position of secretary to a Tennessee legislator receive a 50-percent years-of-experience credit for the following jobs:

- Executive secretary or administrative assistant experience with the State of Tennessee.

- Executive secretary, administrative assistant or legal secretary for law firm or lobbyist(s) group.

- Congressional support experience.

A secretary hired at the Tennessee General Assembly who worked 10 years in the executive branch receives five years credit for that work experience for purposes of setting his or her salary. The guidelines also include categories of prior work experience valued at 33 percent and 25 percent. This system promotes a transparent and equitable process for

setting salaries and also makes a statement about how Tennessee values its current employees. The Tennessee experience rating guide for member secretaries is presented in Appendix D.

Comp Time

Eight of the ten states in NCSL's survey of legislatures award comp time to eligible staff on an hour-for-hour basis, based on work hours reported on an employee's time sheet. This approach makes sense in terms of equity and fairness, but also puts an additional responsibility on supervisors to ensure that their staff properly report time and do not unnecessarily extend their work hours in order to accrue addition comp time. Many legislatures see this as a worthwhile and workable tradeoff.

Comp time policies in state legislatures also often limit the amount of comp time hours that an employee can accumulate or set expiration rules for their use. In Maryland, comp time awards expire one year after they are earned. Maine, North Carolina, Ohio and Tennessee place maximums on comp time accumulation; for example, North Carolina limits employees to 160 hours of accumulated comp time. Comp time limits or expiration rules protect legislatures from the financial liability of carrying large comp time balances on their books and encourage employees to use their comp time rather than hold it.

Large comp time awards may indicate inefficiencies in the workplace, shifts in demand for services, or mark areas that require management review. Organizations that experience routinely high levels of comp time respond by redesigning work processes, realigning employee assignments or targeting areas that need additional resources.

Employee Performance Management

Employee performance management focuses on promoting employee and organizational excellence. It integrates goal setting, employee performance evaluation, coaching, training and rewards into a system that develops and motivates professional staff. Performance evaluation is at the heart of this system.

Employee performance evaluation processes can be difficult to manage and maintain, but offer benefits that justify the effort necessary to make them work. Eight of the ten legislatures in NCSL's survey have employee performance evaluation systems in place. Tennessee is in the process of developing one.

Employee performance evaluation programs, when properly administered, establish employee goals and provide constructive, regular feedback about performance. These programs also provide a conduit for communications between supervisors and their employees about the issues that matter most to employees and how their efforts contribute to organizational success.

Regular performance evaluations highlight areas of strengths and opportunities for improvement for each employee. Human resource professionals use these results to tailor training programs that target common needs in the workplace. Performance evaluations also provide important documentation to support promotions or, in the case of consistently poor performance, support difficult discipline or termination decisions. In this latter case, a consistent record of performance evaluations can protect the organization against employee claims of wrongful dismissal or unfair employment practices.

From an organizational perspective, management uses the collective experience from the employee performance evaluation process to assess and analyze workplace skill levels, overall employee effectiveness and training needs. The human resources (HR) office plays a vital role in training supervisors on how to apply the performance evaluation process and tools, including critical skills for holding an effective performance-focused discussion with the employee. HR also works to ensure consistency throughout the organization in the development of individual goal plans, encourages managers to conduct the process according to a predetermined schedule, and promotes integration of the organization's mission into the workplace goals of individual employees.

Fundamentals of Effective Employee Performance Evaluation

Performance management relies heavily on the routine evaluation of each employee's work. Employee performance evaluation approaches vary, and many legislatures struggle to establish a system that works well and is sustainable. However, no matter the approach, there appear to be several critical components and practices in employee performance evaluation that predict success:

- Employee evaluation should be conducted according to a fixed calendar schedule, with a formal review at least once each year.

- Employee evaluation should be based on clear goals established collaboratively between the employee and evaluating supervisor.

- Evaluation tools and forms should be easy to complete, but avoid simple checklist formats.

- Evaluations should include a one-on-one discussion between employee and the employee's direct supervisor to discuss the content of the evaluation.

- Evaluating supervisors should be trained in the techniques and skills necessary to conduct an employee performance evaluation.

- Evaluations should be linked to promotion, training, employee development and merit-based pay increases.

- Employee performance reviews should not replace or substitute for ongoing, good management practices, supervision and performance feedback.

Leadership and Management Training

State legislative staff agencies across the country are confronting a tough reality—the impending retirement of some of their most talented and experienced employees. These soon-to-depart senior staff often hold key management positions so their retirement signals the loss of critical technical and leadership skills. Legislatures therefore are expanding and redirecting their staff training programs to include more content on leadership and management topics. Good examples of these efforts can be found in Connecticut, Florida and California.

More than a decade ago, the Connecticut General Assembly hired the nation's first in-house, full-time director for legislative training. Under the guidance of their human resources director, this new resource person developed and began teaching a comprehensive leadership development training curriculum. He also created a certification program for staff who successfully completed specially designed collections of training coursework. This effort continues today and is fully integrated into a succession planning strategy focused on developing the next generation of leadership for the General Assembly's central, nonpartisan staff agency.

Later in this report, we emphasize the need to delegate more management responsibility to LRC's middle management. This cannot be accomplished successfully without a concurrent effort to train these staff in the fundamentals of effective management and communication and about skills for conducting performance evaluations.

Commission Engagement in Change Management

The legislative reform efforts of the late 20th century were successful because legislative leaders made reform a priority. Although that period of historic institutional change has passed, the lesson about the role of leadership is as relevant as ever.

Legislative innovation and change initiatives succeed when legislative leaders get behind them. They falter or fail when leaders do not focus on them. In many state legislatures, institutional leadership responsibilities reside with a central, joint committee typically chaired by the presiding officers. In Kentucky, this is the Legislative Research Commission. The Commission and its membership hold the key to effective improvement at the General Assembly.

NCSL experienced a powerful reminder of the critical role of leadership in the change process during its recent staff management project for the South Dakota Legislature. South Dakota's Executive Board—the equivalent to Kentucky's LRC—assigned a subcommittee to work with NCSL through the course of the study. The subcommittee chair remained in constant contact with NCSL's team leader, and the subcommittee monitored the progress of NCSL's work. After NCSL delivered its findings, the subcommittee and Executive Board engaged in discussions and oversight with its Legislative Research Council staff to implement many of the study's recommendations. This collaboration between staff and legislative leaders made change possible.

Additional Areas for Improvement

Our analysis under "Key Findings" addressed issues that are priorities for LRC attention. In this section, "Additional Areas for Improvement," we examine other matters of concern that deserve consideration and that offer important opportunities for improvement at the LRC.

LRC Organizational Structure

In our interviews we often heard about the "flat structure" of the LRC nonpartisan staff. It was usually cited as a point of pride that most staff are "just two steps away" from the director. This has strong roots in the traditions of LRC staff management and has considerable value in promoting a sense of community and a collegial, egalitarian culture. But in a staff organization of 320 people, it can also create problems, especially if there are unclear lines of authority and spans of control so large that top managers cannot effectively perform their supervisory roles.

The LRC has four deputy directors. Two of them, the deputy directors for budget review and education accountability, have well-defined units of 17 and 15 staff respectively, and the authority to manage them. These units have clear lines of authority, perform well and, based on our interviews, have higher levels of morale and satisfaction with their management than staff in other parts of LRC.

A third deputy director—for research—has one person who reports to her and approves time and attendance for five support staff. In addition, the deputy director for research has responsibility for overseeing, coordinating and editing research publications produced by the staffs of the 23 committees but does not have direct supervisory responsibility for these staff. She also coordinates and manages training programs for the LRC nonpartisan staff.

The deputy director for committee and staff coordination has supervisory responsibility for the staff of the 15 interim joint committees and the eight statutory committees. His primary focus as a manager is on the bill drafting and research services that these staff provide. However, he also has responsibility for overseeing other policy-related staff offices including constituent services, the chief staff economist, the revisor of statutes and the public information office. In addition, this deputy director approves time and attendance records for 11 other offices or staff groups including such major functions as the IT staff and the business office.

The LRC staff organization chart (Appendix E) shows all 30 of the staff groups, with a total of 201 staff, reporting to both the deputy director for committee and staff coordination and the LRC director. This apparent dual reporting appears to play out in practice. The mid-level managers of these

offices say that they have direct access to the LRC director, but they also present requests and concerns to the deputy director for committees, who often funnels them to the director. The deputy director and most managers of these various offices seem comfortable with this ambiguity. When asked who their supervisor is, many of the mid-level managers hesitate for a moment and then say that they go to the deputy director on some things, the director on others and, in some instances, the human resources director.

These unclear lines of authority create problems for the accountability of managers below the deputy director level and the monitoring and evaluating of their performance. Supervision of 30 different staff groupings is a very broad span of control for two managers (the director and the deputy director). Even if they divided rather than shared supervisory responsibility, it would be very difficult for them to monitor the performance of this many staff units and to respond effectively to issues and problems.

Each of the 23 committees of the General Assembly has a committee staff administrator (CSA) who reports to the deputy director for committees. Each committee has between one and six other staff besides the CSA. The CSAs and staff are highly professional and perform their bill drafting, committee staffing and research functions well, as reflected by the legislators' high levels of satisfaction with their services. "The CSAs make the legislative session run," said one senior manager.

The CSAs have clear responsibility for the quality of bill drafting and other work products in their units. Much less clear is their responsibility for the overall performance of the staff who work with them. In the absence of a, written performance review process, we asked the CSAs if they had periodic informal conversations with their staffs to set goals and review performance. Most said that they did not, and some questioned whether they had the authority to do so.

Several CSAs, along with other mid-level managers in other parts of LRC, complain that top managers often bypass them and deal directly with their staffs. One nonpartisan staff survey respondent commented, "Middle management … is not given support or latitude to perform true management functions."

The broad spans of control of some top managers, the lack of an effective hierarchy, the unclear lines of authority and the ambiguous responsibilities of middle managers leave LRC staff in a situation of not having clear goals and expectations, lacking feedback about their performance and not feeling as if they have a role to play in the future of the organization. These problems are sharply reflected in the nonpartisan staff survey. Fifty-eight percent of the respondents disagreed with the statement, "Managers

of the LRC nonpartisan staff are quick to address problems, including employee performance problems." Thirty-seven percent of the nonpartisan staff do not feel as if LRC managers understand the role and work of each employee. Only 27 percent of the staff says that the LRC staff has a culture of innovation that encourages ideas for new products and services.

One office that is potentially vulnerable to the problems created by ambiguous lines of authority is the information technology (IT) office. The IT staff gets very high marks (well above 3.0 on a 4.0 scale) for its services from both legislators and staff. The work of the IT staff is integral to all aspects of the General Assembly, and their services touch all members and staff in a way that very few other nonpartisan staff services do. The LRC director has a major stake in the performance of the IT staff. But under the current structure, the IT office is subject to the same lack of clarity in who it reports to—sometimes to the deputy director and sometimes to the LRC director.

Legislatures often have complicated organization charts as services have grown and changed over time. But most other legislatures with nonpartisan staffs of similar size and structure to Kentucky's have more clearly defined hierarchies.

The Maryland Department of Legislative Services (Appendix F), with 383 nonpartisan staff in a single office, is very comparable to the Kentucky LRC staff. It is divided into four offices: executive director, policy analysis, information systems, and legislative audits, all reporting to the executive director. The policy analysis office is further divided into units for fiscal and policy analysis, legislation and committee support, and library and information services. Each of the offices and sub units has a director and sometimes a deputy director. Administrative functions such as human resources, accounting and legislative document management are part of the office of the executive director. The result is that the executive director has eight managers reporting to him, and the directors of each of the other offices have two to four middle managers reporting to them.

Similarly, the North Carolina General Assembly (Appendix G) has a legislative services office that incorporates all 353 nonpartisan staff. Six division directors and a personnel office report directly to the legislative services officer (director). The six division directors have 27 supervisors (mid-level managers) working under them. The functions of each of the divisions or offices are clearly laid out in the organization chart.

In both the Maryland and North Carolina legislatures the IT staff report to the director. This practice of having the IT staff report at the highest level is common not only in legislatures but in the modern management world in which IT functions are critical to organizational success or failure.

We know from our observation of the Maryland and North Carolina legislatures (as well as others around the country) that they have established an effective management hierarchy with clear lines of responsibility, without creating an inflexible, executive branch-style bureaucracy. They are relatively small organizations (the same size of the LRC staff) that are able to collaborate, work together as a team and feel a sense of community and commitment to the legislative institution. In other words they enjoy the benefits of a "flat organization" at the same time that they have an accountable, effective management structure.

Summary of Findings

1. Two of the LRC deputy directors have well-defined responsibilities and reasonable spans of control that result in a positive workplace culture among their staff.

2. The deputy director for committee and staff coordination and the LRC director share responsibility for overseeing 30 other staff units within LRC, spanning 201 staff. Management responsibilities in these units are blurred and uncertain. The staffs in these units feel more disaffected from management and frustrated about their roles than do other staff units.

3. Mid-level managers do not have clear responsibility and authority for the performance of their staffs.

Options for Improvement

1. Clarify the management responsibilities and spans of control of the LRC director and the deputy director for committees and staff coordination. Limit span of control to no more than 10 staff units each. This can be accomplished in a variety of ways. One is to redistribute management responsibilities among the existing deputy directors to even out their workloads. A second way would be to add another deputy director position. This additional deputy director position could take responsibility for administrative functions, among several possible alternative structures.

2. Identify and define the positions of mid-level managers and give them clear responsibility and authority for managing their staffs,

3. Provide training on effective management to mid-level managers.

4. Expand mid-level manager participation in hiring decisions about candidate selection and salaries, while leaving authority for final decisions with the director and the human resources office.

5. Delegate supervision responsibilities to mid-level managers and avoid practices that undermine or circumvent their authority.

6. Specify that the IT director reports to the LRC director.

Administration of Member Secretaries

The LRC nonpartisan staff provides secretarial services to members of the General Assembly. LRC assigns nonpartisan secretaries to serve members in each of the office suites shared by members of the same party and chamber. Each secretary may serve from one to seven members depending on the legislators' responsibilities and needs. There is also a project center of 23 staff that provides backup support to the secretaries and assistance with large mailings, surveys and other special projects.

An LRC assistant director has responsibility for hiring and managing a total of 40 year-round secretaries, eight legislative assistants and a number of temporary secretaries hired for the session only. The assistant director assigns the secretaries and assistants to the members. Legislators assign work to the secretaries but do not have supervisory responsibility for them.

In addition to the 48 legislative secretaries and assistants, the LRC assistant director for legislator support services also oversees five other staff units (project center, proofers, switchboard, message board and bill status). This is a very large span of control totaling more than 70 full-time staff. Even with two mid-level managers who oversee the 23-person project center, it is impossible for the assistant director to maintain close contact with this number of staff.

NCSL's survey of legislators shows that members are appreciative of these secretarial services. Eighty-six percent of the respondents were either satisfied or very satisfied with the overall quality of the secretarial services performed for them. However, six members said that they were either not at all satisfied or only somewhat satisfied with the quality of service, and eight were less than satisfied with staff secretarial skills. A relatively small number of dissatisfied members tends to complain to legislative leaders and to LRC managers about the services they receive, creating an impression that the system is not working well.

In our interviews with staff and legislators we heard numerous complaints about some secretaries or assistants not having adequate skills or understanding of office procedures. We were told that in the past legislative assistants were hired without having the same skills as secretaries. LRC managers are now phasing out the legislative assistant position, and all new secretary job candidates are required to pass a writing test. Several LRC managers and leadership staff told us that there are some legacy secretaries or assistants who do not have adequate skills and that they are the source of the complaints about the quality of secretarial services. We also heard similar concerns about low skill levels among some newer secretarial staff.

We also heard complaints that training of new legislative secretaries is uneven. The LRC constituent services unit regularly trains secretaries on

how to handle constituent requests and to work with their office, but otherwise LRC relies on senior secretaries within each suite to guide new hires in office procedures and practices. Inevitably, some of the senior staff are more conscientious and better at this than others.

The LRC system of assigning nonpartisan secretaries to work directly with members is unusual among state legislatures. In most legislatures that provide secretaries to members (not all of them do) either the legislative leaders or the legislators themselves hire and manage aides to the members. That the LRC practice is unusual does not make it wrong. In fact, the LRC system has considerable appeal in that a central nonpartisan office can be flexible in making assignments to members based on need, provide year-round, professional supervision and support when members are not always in the capitol and provide central administration and training.

The problems with legislator support services are not with the formal structure but rather with management and personnel practices.

Summary of Findings

1. Most members are satisfied with their secretarial support services, but a vocal minority is not.

2. Similarly, most secretaries perform well, but a few do not have the skills necessary to perform the job. This is a result of a historic lack of formal performance evaluation and minimum qualifications for employment.

3. The supervisor of the legislative secretaries has a span of control that is too large and cannot effectively supervise such a large number of people.

4. Training of new secretaries is haphazard and needs to be standardized.

Options for Improvement

1. Implement a system of job descriptions and review, evaluate and strengthen minimum qualifications for legislative secretaries and the tests that are used to ensure that new hires have the necessary skills to do the job.

2. Require all employees to meet minimum qualifications for positions and participate in a performance evaluation process.

3. Require additional training for current employees who do not have adequate skills, move them to positions that have less impact on member services or counsel low performers to leave the LRC.

4. Provide management support to the assistant director for legislative support services including reducing the span of control and delegating supervisory responsibilities to mid-level lead staff.

Bill Drafting Workloads and Procedures

Drafting bills and amendments are not the only jobs of the joint interim committee staff—they also conduct research for the committees, answer member information requests, assist with constituent service in their policy areas, write issue papers and manage session and interim committee meetings—but drafting is their primary activity and the one by which they judge their own performance. They take pride in this work. As previously noted, committee staff perform their bill drafting functions at a very high level as evidenced by the legislator and partisan staff surveys.

Workload

Among the 15 interim joint committees, there is considerable variation in the bill drafting workload (Table 10). Simple tallies of bill requests are only rough indicators of staff workloads because they do not reflect differing complexity of bills, the frequency of substitute bills that may not get counted as a separate bill request, the number and intricacies of amendments, the frequency of repeat bills (which do not require new drafting) from one session to the next, or the other nondrafting tasks of the committee staff.

Nonetheless, we would expect to find that the committees with the most bills would have the most staff. For the most part, the committees with the most bills do have the most staff, with a few exceptions. There are reasonable explanations for some of the anomalies in the allocations of staff to committees (e.g., State Government has several subcommittees that require extra management or Judiciary gets lots of repeat bills that do not need to be redrafted). But these gross workload measures also show major discrepancies such as the fact that analysts for the Energy, Labor and Industry and Economic Development committees draft only a fraction of the bills that analysts for Judiciary or Transportation prepare.

One nonpartisan staffer said, "Some committees have more staff than they need, while other areas may be scraping to get their jobs done…." Another recommended:

> *I think there should be periodic reviews of the workload of each committee—the quantity of bills and amendments requested, and the number and complexity of research and bill requests—in relation to the number of committee analysts assigned to that area.*

Committee	Bill Requests by Year					Number of Analysts*	Number of Bills/ Analyst
	2011	2012	2013	2014	Average		
Judiciary	167	204	169	183	203	4	45
State Government	112	134	129	125	137	7	18
Education	99	122	111	113	131	4	28
Health and Welfare	106	126	125	95	117	4	28
Transportation	78	139	114	122	114	3	38
Appropriations and Revenue	66	91	77	126	100	5	18
Veterans, Military Affairs and Public Protection	80	111	68	45	85	3	25
Agriculture and Natural Resources	79	83	60	63	85	4	18
Licensing and Occupations	54	66	47	61	63	4	14
Local Government	44	76	52	43	58	3	18
Banking and Insurance	48	34	38	44	48	2	21
Energy	21	47	49	26	34	2	18
Labor and Industry	21	29	21	26	29	2	12
Economic Development	20	31	15	14	22	2	10
Total	995	1,293	1,075	1,086	1,228	49	23

Table 10. Legislative Research Commission Interim Joint Committee staff and bill requests, 2009–2014 (ranked by average number of requests)

Number of analysts in 2014. There is some variation (+/–1) from year to year.

Procedure

The LRC has modern and up to date automated systems for statutory retrieval, online bill drafting and tracking bill and amendment requests and workloads. Most staff make effective use of these tools. However, a few pockets of LRC staff cling to old, inefficient ways of processing bills. For example, the Reviser of Statutes office still relies on scissors and tape to edit bills before they are introduced. A nonpartisan staffer commented:

> I believe the Statute Reviser's office could make far better use of technology tools. The bill editing process now involves writing changes out by hand and literally cutting-and-taping new paragraphs onto paper copies, then sending those copies to third-party transcribers who enter the hand-drawn edits into the bill drafting software.

Another example is the documentation of the legislative record. In both the House and Senate, clerks write out detailed minutes of floor actions by hand. These minutes are then hand-delivered by couriers to the LRC front office, which reads the minutes and enters changes in the status of the bill

into the online system. Most legislatures in the country have automated these procedures with journal clerks in the chambers entering bill status changes in real time.

One committee staff unit with an excellent reputation for the quality of its bill drafts has a practice of requiring staff peer reviews of all bills drafted by its staff. This practice of having peer staff members review drafts (in addition to manager reviews) is widely used in other state legislatures and has the benefits of improving the quality of bill drafts, honing writing and editing skills and cross training staff in different policy areas. We are not aware that any other committee staff unit follows this practice.

The NCSL study team heard a few complaints that the quality of bill drafting has declined recently. One leadership staffer said, "LRC needs to address a progressive decline in the quality of bill drafting and review. The quality of bill drafting has declined over the last 2 years. Bill drafting and proofing for the current session has been the worst in my tenure with the agency." We were unable to verify the accuracy of this complaint, but it should be an area of concern to LRC managers.

Summary of Findings

1. There are unequal distributions of bill drafting workloads among the interim joint committees.

2. There are opportunities for LRC staff to function more efficiently in processing bills.

3. One LRC committee staff unit has been innovative and quality driven in instituting a peer review process for bill drafts.

Options for Improvement

1. Review and evaluate committee workloads and adopt methods of balancing out the work during peak periods of demand. One option would be to form groups or clusters of committee staff that handle similar kinds of issues with a supervisor who could reallocate staff during session based on the volume of work at any given time. This might require some cross-training of analysts, which would be beneficial to the organization.

2. Review all aspects of bill processing to look for opportunities to use automation to function more efficiently. This may require more training in office automation for some staff.

3. Review and evaluate all bill drafting quality control procedures to ensure high levels of accuracy and customer satisfaction. Implement peer reviews of bill drafts for all interim joint committees.

Workplace Harassment Training

The LRC's Personnel Policy Manual includes sections on work-related harassment and harassment awareness training under its "Office Practices" section. The manual states that "employees will be required to attend periodic harassment awareness training," and specifies that such training could include "reviews of new laws, agency policies, and methods for preventing and addressing harassing behavior." The manual does not prescribe specific training methods.

According to interviews with LRC staff and the human resources director, annual training is offered online. In some staff interviews, the NCSL team received comments that the online training is not taken seriously and that staff lack confidence in its efficacy. While upper management can determine which employees do not complete the training via electronic record keeping, people are under the impression that there are no consequences for a failure to do so.

In addition to surveying the ten comparison legislatures on the topic of workplace harassment training, the NCSL study team questioned human resources professionals from the Minnesota House and Washington Senate because of the high caliber of training and professional development programs each has historically offered. Only one survey respondent, the Virginia Senate, does not offer workplace harassment training for nonpartisan legislative staff, though Connecticut and Maine only offer training for supervisors. As in Kentucky, attendance is mandatory in all legislatures that offer training, save Ohio. The frequency of training opportunities varies from state to state, ranging from annually in Washington to only occasionally in other states. (See Appendix H.)

No other surveyed state offers online workplace harassment training in the same manner as Kentucky. Indiana requires that new hires watch a video that is self-administered, time-stamped and computer-assisted. Staff also attend in-person trainings. Maine's training consists of a DVD and written materials. Most surveyed states conduct in-person trainings, and most use external faculty.

E-training has advantages—it can be cost-effective and offers flexibility. But when workplace harassment is the topic, it can put employers and employees at a disadvantage. In [EEOC v. Management Hospitality of Racine, Inc.](#) (7th Cir. 2012), a federal court awarded damages to two victims in a sexual harassment case, finding that "although management was required to take sexual harassment training (via video), the evidence at trial suggested that the training was inadequate." According to Employment Practices Solutions, a human resources and employment law consulting firm, this case demonstrates that

Properly educating employees on harassment and discrimination prevention, which may lead to costly litigation, is vital ... in-person employee training conducted by an attorney, experienced in the area of employment law and workplace issues, is a sound defense in proving that an employer took reasonable steps to prevent harassment. A qualified live trainer is the most effective method for providing employees with a clear understanding of what is and is not appropriate workplace behavior, as well as training managers on the proper steps to take following an employee complaint.

In-person training programs offer important advantages. Training often stimulates questions and creates conversations. In the presence of a qualified trainer, participants can ask those questions and receive real-time answers about a sensitive and nuanced topic. They can interact with each other, learning more about how coworkers might react in actual situations. In-person trainings can be tailored to address particular concerns, which can be especially helpful in the unique legislative workplace. Lastly, as suggested elsewhere in this report, face-to-face communication strengthens workplace relationships and can build trust between staff at all levels of an organization.

Summary of Findings

1. The LRC manual states that the organization "strives for professionalism in the workplace to eliminate the potential for unlawful harassment." Staff are skeptical that the current training method helps accomplish this goal. They find it an ineffective tool.

2. Most comparison states offer in-person workplace and/or sexual harassment training conducted by external faculty. Some complement in-person training with videos or web-assisted training. Some use legislative staff as trainers as well.

Options for Improvement

1. Dovetail the staff training with the new statutory requirement in 2014 HB 28 stipulating that the LRC require all legislators to attend a sexual and workplace harassment training course at the beginning of each session.

2. Retain the current online training tool, with upper management updating and reviewing it as appropriate. Newly hired staff could participate in the online training after an orientation and a review of the personnel manual. This would be in addition to in-person training held every year for all staff.

Partisan Staff Personnel Policies

The 62 partisan staff who work for the House and Senate are technically employees of the Legislative Research Commission, but the LRC director has no role in supervising the partisan staff. The speaker and the president of the Senate hire and manage their staffs as they see fit.

In the statutes governing LRC operations, there is no distinction between partisan and nonpartisan staff. The authority of the LRC to hire staff (both partisan and nonpartisan) is contained in the following sections of KRS 7.090:

> Section (4): … The Commission shall have exclusive jurisdiction over the employment of personnel necessary to effectuate the provisions of KRS 7.090 to 7.110.

> Section (6): The director shall, at the discretion of the Commission and under its supervision and control, provide for the allocation of the work and activities of all employees of the Commission….

The LRC's Personnel Policy Manual specifically states that it "provides information for LRC's *nonpartisan* [emphasis added] employees" and that "the purpose of the manual is to provide policy guidelines to *nonpartisan* [emphasis added] LRC and General Assembly employees." There is no reference to partisan staff in the manual, and they do not have their own personnel guidelines. We were told that the partisan staffs follow portions of the Personnel Policy Manual, but it is not clear which portions or how they know to do this.

The lack of specific personnel guidelines that apply to the partisan staff causes uncertainty for the staff and presents potential management and legal problems for partisan staff managers. This situation, along with the absence of any definition of partisan staff and their roles in statute, also places the LRC director in an ambiguous position in relation to partisan staff.

The partisan staffs of the House and Senate also do not have a pay and classification system for their employees—not even the rudimentary executive branch salary structure that the LRC nonpartisan staff uses as a base. The presiding officers set the salaries for their staffs. In recent years, the partisan staffs have hired several nonpartisan staff and given them substantial pay increases of as much as 40 percent.

The management practices regarding partisan staff vary considerably among the 10 comparison states. In none of them are the partisan staff under the same conditions of employment as the nonpartisan staff. In five states—Connecticut, Maine, Oregon, Tennessee and Virginia—partisan

staff are subject to the same personnel guidelines as the nonpartisan staff. Maryland has a separate personnel manual for partisan staff.

In Maine, North Carolina, Oregon and Tennessee the pay and classification system applies equally to partisan and nonpartisan staff. The Maine response to our questionnaire says that partisan staff are allowed more freedom in setting salaries within the pay and classification system that applies to both groups. Connecticut, Ohio and Maryland partisan staff have pay and classification systems separate from the nonpartisan staff.

Summary of Findings

1. The ambiguity of personnel policies that apply to partisan staff may present management problems.

2. The lack of a pay and classification system for partisan staff creates inequities between partisan and nonpartisan staffs.

Options for Improvement

1. Adopt clear personnel guidelines that apply to partisan staff and are the same as or similar to personnel policies for nonpartisan staff.

2. Review and evaluate the responsibilities of the LRC director in regard to partisan staff and ensure that they are clearly defined. This can be done either through statutory changes or Commission action.

3. Establish a pay and classification system for partisan staff. This system can be the same as or separate from the nonpartisan staff system, but there should be a reasonable relationship between them.

Conclusion

(Will appear in the final report.)

Appendix A—Summary of Legislator Survey Results
(average rating and response count)

How satisfied are you with each of the following LRC services related to bill drafting?						
	Average Rating	*Very Satisfied (4)*	*Satisfied (3)*	*Somewhat Satisfied (2)*	*Not at All Satisfied (1)*	*N/A*
The timeliness of bill drafts provided to you	**3.70**	37	11	2	0	1
The quality of bill drafts provided to you	**3.57**	32	13	4	0	1
The effectiveness of LRC staff communication with you regarding bill drafts	**3.56**	32	14	4	0	1
The confidentiality of LRC staff regarding your bill draft requests	**3.67**	37	9	2	1	2
The overall quality of bill drafting	**3.62**	33	15	2	0	1

How satisfied are you with each of the following LRC services related to committee staffing during legislative sessions?						
	Average Rating	*Very Satisfied (4)*	*Satisfied (3)*	*Somewhat Satisfied (2)*	*Not at All Satisfied (1)*	*N/A*
The timeliness of responses to requests for bill amendments	**3.71**	36	10	2	0	2
The quality of bill amendments	**3.61**	33	13	3	0	2
The quality of committee meeting advance preparation	**3.48**	31	14	3	2	1
The quality of in-meeting committee services	**3.60**	33	14	3	0	1
The quality of post-meeting follow-up and reporting	**3.55**	32	13	3	1	2

How satisfied are you with each of the following LRC services related to committee staffing during the interim?						
	Average Rating	*Very Satisfied (4)*	*Satisfied (3)*	*Somewhat Satisfied (2)*	*Not at All Satisfied (1)*	*N/A*
The quality of support services provided to joint interim committees	**3.57**	31	15	3	0	0
The quality of issue papers or informational bulletins prepared during the interim	**3.43**	26	18	5	0	1

Appendix A—Summary of Legislator Survey Results

(average rating and response count)

How satisfied are you with the following services provided by statutory committee staff?						
	Average Rating	*Very Satisfied (4)*	*Satisfied (3)*	*Somewhat Satisfied (2)*	*Not at All Satisfied (1)*	*N/A*
The timeliness of services provided by statutory committee staff	**3.60**	27	15	1	0	8
The thoroughness and quality of services provided by statutory committee staff	**3.67**	29	12	1	0	8
The communication between statutory committee staff and you	**3.58**	27	14	2	0	8

About how often do you interact with LRC budget review staff during legislative session?	
Several times a week	**36.2%**
Several times a month	**38.3%**
Rarely or not at all	**25.5%**

How satisfied are you with each of the following LRC services provided by the budget review staff?						
	Average Rating	*Very Satisfied (4)*	*Satisfied (3)*	*Somewhat Satisfied (2)*	*Not at All Satisfied (1)*	*N/A*
The timeliness of drafts of budget bills and amendments	**3.44**	24	13	2	2	10
The quality of drafts of budget bills and amendments	**3.45**	22	15	2	1	11
The timeliness of fiscal notes prepared for bills	**3.21**	21	19	5	3	3
The quality of fiscal notes prepared for bills	**3.24**	22	16	5	3	4
The quality of analysis of fiscal issues	**3.23**	22	15	9	1	4

About how often do you refer constituent questions to the nonpartisan LRC constituent services staff?	
Several times a week	**33.3%**
Several times a month	**52.9%**
Rarely or never	**13.7%**

Appendix A—Summary of Legislator Survey Results

(average rating and response count)

How satisfied are you with the following services provided by the constituent services unit of LRC?	Average Rating	Very Satisfied (4)	Satisfied (3)	Somewhat Satisfied (2)	Not at All Satisfied (1)	N/A
The timeliness of responses to constituent requests	**3.66**	35	8	4	0	4
The thoroughness and quality of responses to constituent requests	**3.64**	36	6	4	1	4
The communication between constituent services staff and you	**3.49**	32	8	5	2	4
The timeliness of responses to requests for public information services	**3.43**	25	18	3	1	4
The thoroughness and quality of responses to requests for public information services	**3.40**	26	16	3	2	4
The communication between public information office staff and you	**3.36**	23	19	4	1	4

Which of the following best describes you?	
A highly proficient and active user of computers and information technology, including social media	**39.1%**
A capable user of computers and information technology for routine tasks such as e-mail, web browsing and word processing	**43.5%**
An infrequent or nonuser of information technology, with the possible exception of cell phones or email	**17.4%**

Appendix A—Summary of Legislator Survey Results
(average rating and response count)

How satisfied are you with the following services provided by the information technology staff of LRC?						
	Average Rating	*Very Satisfied (4)*	*Satisfied (3)*	*Somewhat Satisfied (2)*	*Not at All Satisfied (1)*	*N/A*
The timeliness of responses to requests for help with information technology problems	**3.58**	32	15	3	0	1
The quality of responses to information technology problems	**3.57**	32	13	4	0	2
The communication between information technology staff and you	**3.43**	24	19	2	1	4
The quality of the computer equipment provided to you	**3.12**	18	22	8	2	0
The quality and accessibility of online bill status information	**3.48**	30	15	4	1	0
The quality of the Kentucky General Assembly's web site	**3.25**	25	17	6	3	0

Do you use the services of a nonpartisan legislative secretary or aide assigned to you by LRC?

Yes	**86.5%**
No	**13.5%**

Including yourself, how many legislators share your legislative secretary?

1	**2**	4.8%
2	**7**	16.7%
3	**8**	19.0%
4 or more	**25**	59.5%

Appendix A—Summary of Legislator Survey Results
(average rating and response count)

How satisfied are you with each of the following aspects of legislative secretarial services?						
	Average Rating	Very Satisfied (4)	Satisfied (3)	Somewhat Satisfied (2)	Not at All Satisfied (1)	N/A
The availability of a legislative secretary or aide to support your work	**3.43**	25	15	2	2	0
The effectiveness of the legislative secretary's or aide's communication with constituents	**3.50**	28	10	6	0	0
The computer skills of the legislative secretary or aide	**3.55**	29	10	5	0	0
The general secretarial skills of the secretary or aide	**3.37**	24	11	8	0	0
The accuracy of the work performed for you by the legislative secretary or aide	**3.44**	24	15	3	1	0
The overall quality of the secretarial services performed for you	**3.42**	25	12	5	1	0

Please indicate the extent to which you agree or disagree with each of the following statements:						
	Average Rating	Very Satisfied (4)	Satisfied (3)	Somewhat Satisfied (2)	Not at All Satisfied (1)	N/A
LRC staff perform in a nonpartisan manner.	**3.31**	22	20	5	1	0
LRC staff serve all members equally.	**3.00**	17	17	11	3	0
LRC staff are available when I need them.	**3.40**	22	24	1	1	0

Please indicate the extent to which you agree or disagree with each of the following statements:						
	Average Rating	Very Satisfied (4)	Satisfied (3)	Somewhat Satisfied (2)	Not at All Satisfied (1)	N/A
I have an adequate understanding of the services that the LRC provides.	**3.40**	23	22	2	1	0
LRC staff perform in a professional manner.	**3.60**	31	15	2	0	0

Which chamber do you serve in?	
House	**74.0%**
Senate	**26.0%**

Appendix A—Summary of Legislator Survey Results
(average rating and response count)

Which party do you belong to?	
Democrat	**55.1%**
Republican	**44.9%**
Other	**0.0%**

How long have you served in the General Assembly (both chambers combined)?	
Less than 2 years	**4.0%**
2–4 years	**16.0%**
5–7 years	**12.0%**
8 years or more	**68.0%**

Appendix B—Summary of Nonpartisan Staff Survey Results (average rating and response count)

Working with Legislators						
	Average Rating	*Strongly Agree (4)*	*Agree (3)*	*Disagree (2)*	*Strongly Disagree (1)*	*N/A*
The LRC staff work effectively with legislators.	**3.48**	150	124	9	2	6
There is a climate of mutual trust between the LRC staff and legislators.	**3.06**	76	149	40	10	15
Legislators adequately understand the LRC's purpose, services and activities.	**2.70**	34	143	90	14	8
The Legislative Research Commission effectively oversees and directs the LRC staff.	**2.48**	27	117	97	38	11

The LRC staff organization …						
	Average Rating	*Strongly Agree (4)*	*Agree (3)*	*Disagree (2)*	*Strongly Disagree (1)*	*N/A*
… maintains a keen understanding of its strategic challenges and opportunities.	**2.80**	39	140	74	9	12
… has a clearly written and succinct mission statement.	**2.57**	30	111	91	24	18
… has clearly articulated core values that are shared by all employees.	**2.45**	30	91	116	31	8
… has instituted a process for regularly assessing its strategic challenges and opportunities.	**2.09**	12	53	135	54	24
… systematically collects performance feedback information from legislators and staff.	**1.75**	6	23	123	99	24
… effectively confronts and responds to performance feedback and data that may indicate a need for change in its structure, processes, services or products.	**1.87**	12	40	105	96	23

Appendix B—Summary of Nonpartisan Staff Survey Results (average rating and response count)

More Organizational Planning and Performance						
	Average Rating	*Strongly Agree (4)*	*Agree (3)*	*Disagree (2)*	*Strongly Disagree (1)*	*N/A*
The LRC nonpartisan staff's goals and activities are mission-driven.	**2.90**	51	151	47	15	12
LRC nonpartisan staff understand the mission of the organization.	**2.98**	61	157	45	11	4
Legislators understand the mission of the LRC nonpartisan staff.	**2.64**	22	136	94	12	13
LRC nonpartisan staff are effectively engaged in the organization's assessment of strategic issues and goals.	**2.10**	15	65	111	69	17

Managers of the LRC nonpartisan staff …						
	Average Rating	*Strongly Agree (4)*	*Agree (3)*	*Disagree (2)*	*Strongly Disagree (1)*	*N/A*
… focus appropriate time and effort on their managerial responsibilities.	**2.61**	35	118	66	34	9
… routinely provide useful feedback to employees about their performance.	**2.19**	25	73	94	72	3
… effectively delegate and distribute work responsibilities to employees.	**2.61**	40	114	65	38	9
… understand the role and work of each employee and how that work contributes to the goals of the LRC.	**2.62**	41	119	56	42	8
… are effective motivators for employee performance.	**2.21**	24	76	90	69	6
… are mentors and role models for employees.	**2.33**	32	82	81	61	9
… use many tools including staff meetings, email messages, informal gatherings and other means to communicate important information to employees.	**2.64**	49	115	55	44	5
… are good listeners who value input from employees.	**2.43**	41	84	83	53	7
… are quick to address problems, including employee performance problems.	**2.23**	27	75	87	69	9
… are focused on results.	**2.78**	46	136	43	30	9
… demonstrate trust in their employees.	**2.67**	51	109	56	40	9

Appendix B—Summary of Nonpartisan Staff Survey Results (average rating and response count)

Managers of the LRC nonpartisan staff … (continued)

	Average Rating	Strongly Agree (4)	Agree (3)	Disagree (2)	Strongly Disagree (1)	N/A
…have the appropriate amount of authority to fulfill their roles and get things done.	**2.43**	23	106	79	43	14
…value diversity among the staff	**2.84**	41	147	42	19	15
…are sensitive to individual learning and working styles.	**2.72**	41	125	57	27	14
Employees are rarely caught by surprise by decisions that affect their work or workplace.	**2.35**	27	92	77	58	12
Employees understand the role and work of other employees and how their work contributes to the goals of the LRC staff organization.	**2.61**	35	116	82	28	6
Employees demonstrate trust in their managers.	**2.45**	32	90	93	40	10

The LRC nonpartisan staff organization …

	Average Rating	Strongly Agree (4)	Agree (3)	Disagree (2)	Strongly Disagree (1)	N/A
… uses a recruiting method designed to attract a broad sample of potential job candidates.	**2.01**	11	50	88	69	48
… uses recruiting strategies that attract qualified minority candidates.	**2.23**	18	61	78	50	57
… uses nonmonetary rewards to acknowledge employee performance excellence.	**1.92**	5	51	106	81	25
… provides professional development and training opportunities for employees at all levels.	**2.37**	24	103	74	56	8
… has a plan and program for developing future leaders.	**1.76**	6	27	107	97	30
… pursues only those services and products that are consistent with its core values and responsive to its mission.	**2.77**	28	113	46	14	61
… utilizes a variety of communication and feedback strategies to clearly understand legislator satisfaction with its services and to anticipate client needs.	**2.41**	21	67	86	27	62

Appendix B—Summary of Nonpartisan Staff Survey Results *(average rating and response count)*

The LRC nonpartisan staff organization … (continued)						
	Average Rating	*Strongly Agree (4)*	*Agree (3)*	*Disagree (2)*	*Strongly Disagree (1)*	*N/A*
… abandons or alters procedures, services and products that are inefficient or no longer adequately satisfy legislator and other clients' needs.	**2.38**	15	78	74	33	63
… promotes a culture of innovation that encourages employees to experiment with and develop ideas for new products and services.	**2.05**	9	62	91	68	36

More Employee Workplace and Development						
	Average Rating	*Strongly Agree (4)*	*Agree (3)*	*Disagree (2)*	*Strongly Disagree (1)*	*N/A*
A manual or guidebook of personnel policies is provided to all employees.	**3.22**	85	162	11	8	2
Managers participate in the hiring process for positions they supervise.	**3.02**	62	148	22	17	19
Minimum qualifications are adhered to in the hiring process when assessing potential job candidates.	**2.67**	38	104	47	32	46
The LRC's hiring process and practices are consistent for all job openings.	**1.84**	10	37	84	93	40
Raises and promotions are based on merit.	**1.59**	11	21	71	145	16

Appendix B—Summary of Nonpartisan Staff Survey Results (average rating and response count)

Information Technology Processes: The LRC staff organization …						
	Average Rating	*Strongly Agree (4)*	*Agree (3)*	*Disagree (2)*	*Strongly Disagree (1)*	*N/A*
… makes innovative and effective use of computer technology, software applications and internet opportunities.	**3.15**	84	137	24	11	11
… routinely assesses the effectiveness of its computer systems and applications.	**3.11**	71	134	26	9	27
… regularly updates technology and adopts new applications that contribute to workplace effectiveness.	**3.12**	81	134	29	11	12
… makes innovative and effective use of computer technology, software applications and internet opportunities.	**3.15**	84	137	24	11	11
… routinely assesses the effectiveness of its computer systems and applications.	**3.11**	71	134	26	9	27
… regularly updates technology and adopts new applications that contribute to workplace effectiveness.	**3.12**	81	134	29	11	12

How satisfied are you with the following services provided to you by the information technology staff of LRC?						
	Average Rating	*Strongly Agree (4)*	*Agree (3)*	*Disagree (2)*	*Strongly Disagree (1)*	*N/A*
The timeliness of responses to requests for help with information technology problems	**3.62**	178	68	12	2	6
The quality of responses to information technology problems	**3.53**	162	77	16	4	7
The communication between information technology staff and you.	**3.58**	173	71	10	6	6
The quality of the computer equipment provided to you.	**3.38**	140	84	34	3	4
The quality and accessibility of online bill status information.	**3.56**	149	94	6	1	15
The quality of the Kentucky General Assembly's web site.	**3.31**	123	101	26	8	8

Appendix C—Summary of Partisan Staff Survey Results (average rating and response count)

Working with Legislators						
	Average Rating	*Very Satisfied (4)*	*Satisfied (3)*	*Somewhat Satisfied (2)*	*Not at All Satisfied (1)*	*N/A*
The LRC staff work effectively with legislators.	**3.50**	27	24	1	0	1
There is a climate of mutual trust between the LRC staff and legislators.	**3.22**	17	27	6	0	3
Legislators adequately understand the purpose, services and activities of the LRC nonpartisan staff.	**2.92**	6	34	8	1	2
The Legislative Research Commission effectively oversees and directs the work of the nonpartisan staff.	**2.79**	12	22	13	5	1

Please indicate the extent to which you agree or disagree with each of the following statements about organizational planning and management.						
	Average Rating	*Very Satisfied (4)*	*Satisfied (3)*	*Somewhat Satisfied (2)*	*Not at All Satisfied (1)*	*N/A*
The LRC nonpartisan staff's goals and activities are mission-driven.	**3.20**	14	28	3	1	4
LRC nonpartisan staff understand the mission of the organization.	**3.12**	15	25	9	0	1
Legislators understand the mission of the LRC nonpartisan staff.	**2.83**	4	32	10	1	1
The LRC nonpartisan staff organization abandons or alters procedures, services and products that are inefficient or no longer adequately satisfy legislators' needs.	**2.36**	4	14	20	6	6
The LRC nonpartisan staff organization promotes a culture of innovation that encourages employees to experiment with and develop ideas for new products and services.	**2.30**	4	9	27	4	6

Appendix C—Summary of Partisan Staff Survey Results (average rating and response count)

How satisfied are you with the overall quality and effectiveness of each of the following services provided to members by the LRC nonpartisan staff?	Average Rating	Very Satisfied (4)	Satisfied (3)	Somewhat Satisfied (2)	Not at All Satisfied (1)	N/A
Bill and amendment drafting	3.10	14	17	6	2	10
Committee services other than bill drafting (research, meeting management, issue papers)	3.33	18	21	4	0	6
Statutory committee staff support services	3.43	18	24	0	0	8
Fiscal analysis and budgetary review	3.25	19	18	6	1	5
Public information services	3.36	20	21	4	0	4
Constituent services	3.37	23	18	4	1	3
Legislative support (secretarial) services to members	2.71	9	19	17	3	2

How satisfied are you with the following services provided to you by the information technology staff of LRC?	Average Rating	Very Satisfied (4)	Satisfied (3)	Somewhat Satisfied (2)	Not at All Satisfied (1)	N/A
The timeliness of responses to requests for help with information technology problems	3.80	39	10	0	0	1
The quality of responses to information technology problems	3.69	36	11	2	0	1
The communication between information technology staff and you	3.73	36	13	0	0	1
The quality of the computer equipment provided to you	3.65	34	13	2	0	1
The quality and accessibility of online bill status information	3.69	35	11	2	0	1
The quality of the Kentucky General Assembly's web site	3.55	34	9	5	1	1

Appendix D—Tennessee Experience Rating Guideline

Executive Secretary—House

Level A: Experience valued at 50 percent of total

- Administrative assistant or executive secretary to company head or other top executive, vice-president, executive vice-president or major department head.

- Public information or public relations officer, representative, or assistant for private or public sector employer, or major department or division within a large operation either private or public.

- Executive secretary or administrative assistant experience with the State of Tennessee.

- Office manager or supervisor in small to mid-sized office requiring complete oversight of office operations (may include supervision of staff).

- Information systems experience as end-user resources support or training staff.

- Executive secretary, administrative assistant or legal secretary for law firm or lobbyist(s) group.

- Other state legislative support experience.

- Congressional support experience.

Level B: Experience valued at 33.3 percent of total

- Executive secretary or secretary to private sector manager or small to mid-sized department head, division director or unit director.

- Secretary to public relations or public information representative or firm either private or public sector.

- Administrative secretary, secretary, clerk 3 or accounting technician experience with the State of Tennessee.

- Office supervisor over administrative support function of a small to mid-sized work unit, division or department.

- Data processing or word processing experience in the private or public sector.

- Secretary, word processor or clerk in local government.

Level C: Experience valued at 25 percent of total

- Experience requiring continual public contact including, but not limited to, retail sales, wholesale operations, food service, bank teller, receptionist, telephone operator and other public contact service work.

- Clerk 2 or account clerk level experience with the State of Tennessee.

Appendix E—Kentucky Legislative Research Commission Organizational Chart

(Will be updated in the final report.)

Kentucky General Assembly

Legislative Research Commission

Leadership Staff

DIRECTOR
Bobby Sherman

EXECUTIVE SECRETARY TO THE COMMISSION
Christy Glass

Education Accountability
DEPUTY DIRECTOR
Marcia Seiler

Budget Review
DEPUTY DIRECTOR
Greg Rush

Committee & Staff Coordination
DEPUTY DIRECTOR
Robert Jenkins

Research
DEPUTY DIRECTOR
Teresa Arnold

House Clerk Services

Human Resources/Personnel
ASSISTANT DIRECTOR
Roy Collins

Legislator Support Services
ASSISTANT DIRECTOR
Anita Muckelroy

Legislative Process
ADMINISTRATIVE OFFICER
Rita Ratliff

Reviser of Statutes
Rob Williams

Administrative Regulations Compiler
Donna Little

Printing & Publications Officer
Joe Cox

Chief Information Officer
Jim Swain

Constituent Services
Eric Elliott

Public Information
Rob Weber

Chief Staff Economist
Mike Clark

General Counsel
Laura Hendrix

Legislative Librarian
Leslie Smith

Legislative Record
Sheila Mason

Director's Office Support Staff

Business Officer
Joanna Strange

INTERIM JOINT COMMITTEES

Agriculture
Tanya Monsanto, CSA

Appropriations & Revenue
Pam Thomas, CSA

Banking & Insurance
Rhonda Franklin, CSA

Economic Development & Tourism
John Buckner, CSA

Education
Ken Warlick, CSA

Energy
D. Todd Littlefield, CSA

Health & Welfare
DeeAnn Mansfield, CSA

Judiciary
Norman Lawson, CSA

Labor & Industry
Linda Bussell, CSA

Licensing & Occupations
Tom Hewlett, CSA

Local Government
Mark Mitchell, CSA

Natural Resources & Environment
Tanya Monsanto, CSA

State Government
Judy Fritz, CSA

Transportation
John Snyder, CSA

Veterans, Military Affairs & Public Safety
Erica Warren, CSA

STATUTORY COMMITTEES

Education Assessment & Accountability Review
Ken Warlick, CSA

Administrative Regulations
Dave Nicholas, CSA

Capital Planning Advisory Board
Shawn Bowen, CSA

Capital Projects & Bond Oversight
Kristi Culpepper, CSA

Government Contract Review
Kim Elaner, CSA

Medicaid Oversight & Advisory
Miriam Fordham (DeeAnn Mansfield, CSA)

Program Review & Investigations
Greg Hager, CSA

Tobacco Settlement Agreement Fund Oversight
Lowell Atchley (Tanya Monsanto, CSA)

Appendix F—Maryland Department of Legislative Services Organizational Chart

DEPARTMENT OF LEGISLATIVE SERVICES

Office of the Executive Director
Karl Aro

Executive Assistant
Lynne Porter

Ethics Advisor
Deadra Whayland-Daly

Human Resources Office
Lori Mathis

SAP Technical Services
Bonnie Clark

Finance and Administrative Services
Rick Harrison

Legislative Document Management
Dean Saffos

Office of Policy Analysis
Warren Deschenaux

Office of Information Systems
Michael Gaudiello

Office of Legislative Audits
Tom Barnickel

Fiscal and Policy Analysis
John Rohrer

Legislation and Committee Support
Carol Swan

Library and Information Services
Johanne Greer

Deputy Director
Steve Dustin

Deputy Legislative Auditor
Gregory Hook

Fiscal and Policy Notes
Laura McCarty
Lesley Cook

Legislative Drafting
Patrick Ford

Information Services
Sherry Little

Senior Manager
Janice Hendra

Director of Fiscal Compliance Audits
Laura Johnson

Operating Budget
David Juppe
Mary Clapsaddle

Code Revision
Susan Russell

Technical Services
Cynthia Stiverson

Infrastructure and Member Services
Karen Cassidy

Director of Performance Audits
Timothy Brooks

Capital Budget
Matthew Klein

Committee Staffing
Ryan Bishop

Technical Support Services
Brian Oshenska

Director of Information System Audits
Robert Koslowski

Local Government Research & Analysis
Hiram L. Burch, Jr.

Director of Quality Assurance & Professional Dev.
Jacquelyn Blocher-Moran

Appendix G—North Carolina General Assembly Organizational Chart

North Carolina General Assembly

Legislative Services Commission

Special Counsel

Legislative Services Office

Executive Assistant

Legislative Services Officer

Personnel Officer

Administrative Division	Bill Drafting Division	Fiscal Research Division	Information Systems Division	Program Evaluation Division	Research Division	Personnel Office
Director	Director	Director	Director	Director	Director	
Staff	Staff	Staff	Staff	Staff	Staff	
Functions	Functions	Functions	Functions	Functions	Functions	Functions

Administrative Division — Functions

Financial Services
- Budget
- Payroll
- General Accounting
- Purchasing

Security Services
- Police
- Receptionist and Guides

Printing Services
- Distribution of Printed Bills
- Print Shop
- Copiers

Facility Services
- Building Maintenance
- Housekeeping
- Landscaping

Food Services
- Cafeteria
- Snack Bars
- Catering

Bill Drafting Division — Functions

Bill Drafting

Staffing Interim Studies

Provides Legal Support to Fiscal Research Division (Appropriations and Finance)

Statutory Retrieval Database Updates

Proofreading

Enrolling

Engrossing

Bill Typing

Statute Codification

Fiscal Research Division — Functions

Budget Review

Revenue

Compliance

Staffing Appropriations and Finance Committee

Policy Research

Staffing Governmental Operations Commission

Fiscal and Actuarial Notes

Information Systems Division — Functions

IT Infrastructure
- Network Support
- Telephone Services

IT Security

Client Services
- Training
- Help Desk
- Office Automation Support

Desktop Support
- PCs and Laptops
- PC Software
- Printers

Legislative Applications
- GARDS (GA Research and Drafting System)
- Redistricting
- Chamber Automation
- Web Services (Intra/Internet)
- NCGA Financial Systems

IT Legislative Analysis and Committee Support

Program Evaluation Division — Functions

Staffing Program Evaluation Oversight Committee

Evaluating agency program results and efficiency

Reporting program evaluation findings and recommendations

Research Division — Functions

Staffing Standing Committees

Standing Interim Committees

Research Requests/Constituent Inquiries

Legal and Policy Research

Drafting

Legal Counseling

Ethics Staffing and Training

Library Services

Revisor of Statutes

Personnel Office — Functions

Payroll Initiation

Benefits

Personnel Policy and Procedures

Staff Recruitment

Job Classifications

Updated 11/20/2012

Appendix H—Sexual and Workplace Harassment Training for Legislative Staff

Training Held	Mandatory Attendance	Frequency	Method	Trainers Used
KENTUCKY				
Yes	**Yes**	**"Periodic"**	**Electronic**	**N/A**
Connecticut				
For supervisors	Yes, within 6 months of becoming a supervisor	Every 6 months	In person	Training and development coordinator organizes; previous trainers include Permanent Commission on Status of Women, Employee Assistance Program, outside trainers
Indiana				
Yes	Yes (unless excused by supervisor)	Every 3 years	New hires must watch a video upon hiring, which is self-administered and computer-assisted with electronic time stamping of when it was done; in person	External trainers, occasionally legislative staff
Iowa				
*	*	*	*	*
Maine				
For new staff	Yes	Upon hire	Written materials and DVD	N/A
Maryland				
Yes	Yes	Approximately every 4 years, no regular schedule	In person; employees also must sign an acknowledgment that they have read written policy	External faculty
Minnesota House				
Yes	Yes	Permanent staff—every 5 years; also on promotion to a supervisor position Temporary staff—every 2 years	In person	External faculty

Appendix H—Sexual and Workplace Harassment Training for Legislative Staff

Training Held	Mandatory Attendance	Frequency	Method	Trainers Used
North Carolina				
Yes	Yes	Done in 2009, no regular schedule	In person, with video	Office of State Human Resources
Ohio				
Legal training for partisan staff; Nonpartisan supervisors	Partisan, yes Nonpartisan, no	Partisan—once; no planned schedule Nonpartisan— 3 years ago	Briefing on the law	Partisan—attorney general's office Nonpartisan—legislative attorneys
Oregon				
Yes	Yes	Every other year	In person	External trainers occasionally; legislative attorneys
Tennessee				
Yes	Yes	Every other year	In person; recorded for those who are unable to attend	Executive Branch, Department of Human Resources
Virginia (House)				
Yes	Yes	At the discretion of the Clerk and House HR Director	In person	External trainers and House HR Director
Virginia (Senate)				
No	N/A	N/A	Staff follow a written workplace harassment policy	N/A
Washington Senate				
For new staff	Yes	Annually, the week before session begins	In person	Office of Senate Counsel; occasionally external attorneys

Iowa results will appear in the final report.
Source: NCSL survey of legislative staff agencies, 2014.